

APPENDIX A

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re United States Patent Application of:)	Docket No.:	4197-116
Applicant:	)	Examiner:	Joseph S. Del
	)		Sole
Application No.:	)	Art Unit:	1722
	)	Confirmation	9811
Date Filed:	)	No.:	
	)	Customer No.:	23448
Title:)		
)		
METHOD AND DEVICE FOR)		
REGULATING THE COMPOSITION)		
OF SOLUTION(S))		

TERMINAL DISCLAIMER IN U.S. PATENT APPLICATION NO. 10/089,143

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

The disclaimant, ZIMMER AG, Borisgalle 1, D-60388 Frankfurt, Germany, verifies through its duly authorized representative that it is the owner of all right, title and interest in the above-identified application, by Assignment recorded in the United States Patent and Trademark Office on April 4, 2004 at Reel 015212, Frame 0193.

The disclaimant hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of any United States Patent hereafter issued on copending United States Application No. 10/070,624, filed on March 14, 2002, entitled "METHOD AND DEVICE FOR PRODUCING CELLULOSED SHAPED BODIES," which was assigned to the above-identified disclaimant, ZIMMER AG, by an Assignment recorded in the U. S. Patent and Trademark Office on April 4, 2004 at Reel 015212, Frame 0193.

Disclaimant further agrees that any United States patent so granted on the above-identified application no. 10/089,143 which is the subject of this disclaimer, shall be enforceable only for

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and during such period that the legal title to said patent shall be the same as the legal title to any United States Patent hereafter issued on copending United States Application No. 10/070,624, this agreement to run with any patent granted on the above-identified application no. 10/089,143 and to be binding upon the grantee, its successors and assigns.

Nothing herein shall be construed as a disclaimer of any terminal part of any patent granted on the above-identified application 10/089,143 which is prior to the expiration of the full statutory term of any United States Patent hereafter issued on copending United States Application No. 10/070,624; and any United States Patent hereafter issued on United States Application No. 10/089,143, in the event that any United States Patent hereafter issued on copending United States Application No. 10/070,624 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Applicants include herewith payment for entry of this Terminal Disclaimer in the form a credit card authorization form in the amount of \$130.00. In the event it is determined that any additional charge is due for entry of this Terminal Disclaimer, the Patent and Trademark Office hereby is authorized to charge Deposit Account No. 08-3284 in the amount of any deficiency for the fee specified in 37 CFR 1.20 for the filing of this Terminal Disclaimer, together with any other properly payable fee or charge which may be required to effect entry of this Terminal Disclaimer and/or the accompanying Amendment.

I, Marianne Fuierer, represent that I am an attorney of record in United States Patent Application No. 10/089,143 and am authorized to execute this disclaimer on behalf of the ZIMMER AG. I further declare that the evidentiary documents of ownership have been reviewed and I certify that to the best of disclaimant's knowledge and belief, title is in the disclaimant seeking to take action.

I hereby declare that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Marianne Fuierer, Registration No. 39,983
Attorney for Applicants and Assignee

Date: 12/27/04

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